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**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**SHARON ROMAN
a.k.a. Sharon Louise Roman
P.O. Box 116
Gilroy, CA 95021**

Registered Nurse License No. 557334

RESPONDENT

Case No. 2013-15

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about July 5, 2012, Complainant Louise R. Bailey, M.Ed.,RN, in her official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2013-15 against Sharon Roman aka Sharon Louise Roman (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)

2. On or about July 23, 1999, the Board of Registered Nursing (Board) issued Registered Nurse License No. 557334 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to the charges brought herein and will expire on December 31, 2012, unless renewed.

3. On or about July 5, 2012, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2013-15, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record which, pursuant to Business and Professions Code section 136 and Title 16, California Code of Regulation, section 1409.1, is required to be reported and maintained with the Board, which was:

P.O. Box 597, Salinas, CA 93902.

1 4. Service of the Accusation was effective as a matter of law under the provisions of
2 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
3 124.

4 5. On or about August 8, 2012, the Certified Mail documents were returned, and on
5 September 10, 2012, the First Class Mail documents were returned, both marked by the
6 U.S. Postal Service, "Unable to Forward, Return to Sender." On September 25, 2012,
7 Respondent changed her address with the Board and on or about October 1, 2012,
8 Respondent was re-served to her current address of record which is: P. O. Box 116, Gilroy,
9 CA 95021. On or about October 22, 2012, the signed Certified Mail Receipt was returned to
10 our office indicating a delivery date of October 9, 2012.

11 6. Business and Professions Code section 2764 states:

12 The lapsing or suspension of a license by operation of law or by order or decision of
13 the board or a court of law, or the voluntary surrender of a license by a licensee shall not deprive
14 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding
15 against such license, or to render a decision suspending or revoking such license.

16 7. Government Code section 11506 states, in pertinent part:

17 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a
18 notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation
19 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's
20 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

21 8. Respondent failed to file a Notice of Defense within 15 days after service of
22 the Accusation upon her, and therefore waived her right to a hearing on the merits of Accusation
23 No. 2013-15.

24 9. California Government Code section 11520 states, in pertinent part:

25 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the
26 agency may take action based upon the respondent's express admissions or upon other evidence
27 and affidavits may be used as evidence without any notice to respondent.

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1 10. Pursuant to its authority under Government Code section 11520, the Board after
2 having reviewed the proofs of service dated July 5, 2012 and October 1, 2012, signed by Aaron
3 Hanson and Brent Farrand, and the returned envelopes finds Respondent is in default. The Board
4 will take action without further hearing and, based on Accusation No. 2013-15 and the documents
5 contained in Default Decision Investigatory Evidence Packet in this matter which includes:

6 Exhibit 1: Pleadings offered for jurisdictional purposes; Accusation No. 2013-15,
7 Statement to Respondent, Notice of Defense (two blank copies), Request
8 for Discovery and Discovery Statutes (Government Code sections
9 11507.5, 11507.6 and 11507.7), proof of service; and if applicable, mail
10 receipt or copy of returned mail envelopes;

11 Exhibit 2: License History Certification for Sharon Roman aka Sharon Louise
12 Roman, Registered Nurse License No. 557334;

13 Exhibit 3: Affidavit of Marci Coronado;

14 Exhibit 4: Certification of costs by Board for investigation and enforcement in Case
15 No. 2013-15;

16 Exhibit 5: Declaration of costs by Office of the Attorney General for prosecution of
17 Case No. 2013-15.

18 The Board finds that the charges and allegations in Accusation No. 2013-15 are separately and
19 severally true and correct by clear and convincing evidence.

20 11. Taking official notice of Certification of Board Costs and the Declaration of Costs by
21 the Office of the Attorney General contained in the Default Decision Investigatory Evidence
22 Packet, pursuant to the Business and Professions Code section 125.3, it is hereby determined that
23 the reasonable costs for Investigation and Enforcement in connection with the Accusation are
24 \$7,883.50 as of November 8, 2012.

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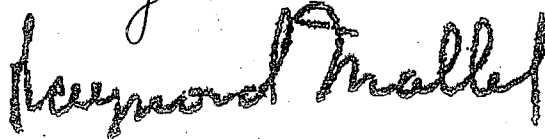
ORDER

IT IS SO ORDERED that Registered Nurse License No. 557334, heretofore issued to Respondent Sharon Roman aka Sharon Louise Roman, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on March 8, 2013.

It is so ORDERED February 8, 2013



Board of Registered Nursing
Department of Consumer Affairs
State of California

Attachment:

Exhibit A: Accusation No. 2013-15

Exhibit A

Accusation No. 2013-15

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 KIM M. SETTLES
Deputy Attorney General
4 State Bar No. 116945
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 622-2138
Facsimile: (510) 622-2270
7 *Attorneys for Complainant*

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2013-15

12 **SHARON ROMAN, aka**
13 **SHARON LOUISE ROMAN**
14 **Post Office Box 597**
Salinas, CA 93902
15 **Registered Nurse License No. 557334**

A C C U S A T I O N

16 Respondent.

17 Complainant alleges:

18 PARTIES

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
21 of Consumer Affairs.

22 2. On or about July 23, 1999, the Board of Registered Nursing issued Registered Nurse
23 License Number 557334 to Sharon Roman, aka Sharon Louise Roman (Respondent). The
24 Registered Nurse License was in full force and effect at all times relevant to the charges brought
25 in this Accusation and will expire on December 31, 2012, unless renewed.

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1 A. Patient P.B.¹

2 1. On or about September 19, 2010, at 8:50 p.m., Respondent withdrew from
3 Omnicell, two tablets of Norco 5-325 mg for patient P.B. Respondent failed to chart or otherwise
4 account for the administration or wastage of the two tablets of Norco.

5 B. Patient S.E.

6 1. On or about September 19, 2010, at 4:04 p.m., Respondent withdrew from
7 Omnicell, 2 syringes of 4 mg Morphine Sulfate for Patient S.E. Respondent documented the
8 wastage of one mg Morphine Sulfate at 4:11 p.m. Respondent documented the administration of
9 3 mg Morphine Sulfate to Patient S.E. at 4:15 p.m. Respondent failed to chart or otherwise
10 account for the administration or wastage of one syringe of 4 mg Morphine Sulfate.

11 2. On or about September 19, 2010, at 7:03 p.m., Respondent withdrew from
12 Omnicell, two additional syringes of 4 mg Morphine Sulfate for Patient S.E. Respondent
13 documented the return of one 4 mg syringe of Morphine Sulfate and the wastage of one 4 mg
14 syringe of Morphine Sulfate. Respondent charted the administration of 3 mg of Morphine Sulfate
15 to Patient S.E. at 7:15 p.m. Respondent failed to document or otherwise identify the source of the
16 3 mg of Morphine Sulfate that was administered to patient S.E.

17 3. On or about September 19, 2010, at 10:57 p.m., Respondent withdrew from
18 Omnicell, one additional syringe of 4 mg Morphine Sulfate for Patient S.E. Respondent
19 documented the administration of 3 mg Morphine Sulfate to Patient S.E. at 11:00 p.m.
20 Respondent failed to chart or otherwise account for the administration or wastage of 1 mg
21 Morphine Sulfate.

22 SECOND CAUSE FOR DISCIPLINE

23 (Unprofessional Conduct – Gross Negligence)

24 13. Respondent has subjected her license to disciplinary action under section 2761,
25 subdivision (a)(1) on the grounds of gross negligence based on the acts and/or omissions as set
26 forth in paragraph 12, above.

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28 ¹ The patient names will be released to Respondent pursuant to a request for discovery.

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14. Respondent has subjected her license to disciplinary action under section 2761, subdivision (a)(1) on the grounds of incompetence based on the acts and/or omissions as set forth in paragraph 12, above.

WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 557334, issued to Sharon Roman, aka Sharon Louise Roman;
2. Ordering Sharon Roman, aka Sharon Louise Roman to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

for Stacie Ben
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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